

Chapter Game 9

PARI-MUTUEL WAGERING POOLS

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Note: Chapter RACE 9 was renumbered chapter WGC 9 and corrections made under s. 13.93 (2m) (b) 1. and 6., Stats., Register, March, 1995, No. 471.

Note: Chapter WGC 9 was renumbered chapter Game 9 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register November 2003 No. 575.

Game 9.01 Purpose. The purpose of this chapter is to establish the types of wagering pools and manner of calculating payouts. No form of wagering other than those authorized by the division shall be implemented.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90.

Game 9.02 Approval of pools. No wagering pool shall be conducted except in accordance with the rules of the division. Promulgation of rules governing operation of a pool shall not constitute prior approval of the division. Requests for new wagering pools shall be submitted by the association and accompanied by a proven totalizator program currently in use in the United States and rules governing each proposed wagering pool. An association may supplement any pari-mutuel pool to guarantee a minimum distribution with prior written approval from the division.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90.

Game 9.03 Win pool. The association shall deduct the amount wagered on the wagering interest which finishes first from the net pool, the balance remaining being the profit. The profit shall be divided by the amount wagered on the wagering interest finishing first, such quotient being the profit per dollar wagered to win; payout shall be return of amount wagered and profit.

(1) In the event of a dead heat for first involving animals of 2 different wagering interests, the win pool shall be distributed as if a place pool; if involving animals of 3 different wagering interests, the win pool shall be distributed as if a show pool.

(2) In the event no win ticket is sold on the wagering interest which finishes first, the net win pool shall be distributed to holders of win tickets on the animal finishing second, if any; otherwise, among holders of win tickets on the animal finishing third.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90.

Game 9.04 Place pool. The association shall deduct the amounts wagered to place on the first 2 animals to finish from the net pool to determine the profit. The profit shall be divided into 2 equal amounts; one-half of the profit shall be divided by the amount wagered to place on the first finisher, such quotient being the profit per dollar wagered to place on the first finisher; and one-half of the profit shall be divided by the amount wagered to place on the second finisher, such quotient being the profit per dollar wagered to place on the second finisher. Payouts shall be

return of the amount wagered and profit thereon as to each of the first 2 finishers.

(1) In the event of a dead heat for first between animals representing 2 different wagering interests, the place pool shall be distributed as if one wagering interest finished first and the other finished second; if between animals representing 3 different wagering interests, the place pool shall be distributed as if a show pool.

(2) In the event of a dead heat for second between animals representing 2 or more different interests, the profit shall be divided in half with one-half allocated for wagers to place on the animal which finished first, and the other half divided equally so as to allocate one-fourth of the profit on the net place pool for wagers to place on each of 2 animals finishing in a dead heat for second, or one-sixth of the profits for wagers to place on each of the 3 animals finishing in a dead heat for second.

(3) In the event no place ticket is sold on an animal which finishes either first or second, then the place pool shall be distributed as a win pool and distributed to the holders of place tickets on the animal finishing first or second.

(4) In the event no place ticket is sold on both of the wagering interests which finish first or second, the net place pool shall be distributed to holders of place tickets on the animal finishing third.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90; CR 03-070: cr. (4) Register November 2003 No. 575, eff. 12-1-03.

Game 9.05 Show pool. The association shall deduct the amounts wagered to show on the first 3 animals to finish from the net pool to determine the profit. The profit shall be divided into 3 equal amounts. One-third of the profit shall be divided by the amount wagered to show on the first finisher, such quotient being the profit per dollar wagered to show on the first finisher; one-third of the profit shall be divided by the amount wagered to show on the second finisher, such quotient being the profit per dollar wagered to show on such second finisher; and one-third of the profit shall be divided by the amount wagered to show on the third finisher, such quotient being the profit per dollar wagered to show on such third finisher. Payouts shall be return of amount wagered and profit thereon as to each of the first 3 finishers.

(1) In the event of a dead heat for first between 2 animals involving different wagering interests or 3 animals involving 3 different wagering interests, the show pool shall be distributed as if no dead heat occurred.

(2) In the event of a dead heat for second between 2 animals involving 2 different wagering interests, the show pool shall be distributed as if no dead heat occurred; if between 3 animals involving 2 or 3 wagering interests, one-third of the profit shall be

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allocated to wagers to show on the animal finishing first and the remaining two-thirds of the profit shall be divided equally by the number of wagering interests finishing in a dead heat for second for proportionate distribution on wagers to show for each wagering interest finishing in a dead heat for second.

(3) In the event of a dead heat for third between animals involving 2 or more wagering interests, two-thirds of the profit shall be allocated to wagers to show on the first 2 finishers, and the remaining one-third shall be divided equally by the number of the wagering interests finishing in a dead heat for third for proportionate distribution on wagers to show for each wagering interest finishing in a dead heat for third.

(4) In the event only 2 animals finish in a race, the show pool, if any, shall be distributed as if a place pool. If only one animal finishes, the place and show pools, if any, shall be distributed as if a win pool. If no animal finishes, all money wagered on the race shall be refunded upon presentation or surrender of parimutuel tickets sold.

(5) In the event no show ticket is sold on a animal which finishes first or second or third, then, the show pool shall be distributed as a place pool and distributed to the holders of show tickets on the animals finishing first, second or third.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90.

Game 9.06 Daily double wagering. The association shall deduct the amount wagered on the winning combination, such being the animal or wagering interest which finishes first in the first daily double race combined with the animal or wagering interest which finishes first in the second daily double race from the net pool to determine the profit; the profit is divided by the amount wagered on the winning combination, the quotient being the profit per dollar wagered on the winning daily double combination. Payout shall be the amount wagered and profit thereon.

(1) In the event of a dead heat for first involving 2 different wagering interests, in one of the 2 daily double races, the daily double pool shall be distributed as if a place pool, with half of the profit allocated to wagers combining the single winner of one daily double race and one of the wagering interests involved in the dead heat in the other daily double race with the other half of the profit allocated to wagers combining the single winner of one daily double race and the other wagering interest involved in the dead heat in the other daily double race.

(2) In the event of dead heats for first involving different wagering interests in each of the daily double races, resulting in 4, 6, or 9 winning combinations; profits shall be divided into a corresponding number of parts and calculated and distributed in the same manner as the show pool using the appropriate number of winning combinations in lieu thereof.

(3) If no ticket is sold combining both winners of the daily double, the net pool shall be apportioned between those having tickets including the winner of the first race of the daily double and those having tickets including the winner of the last race of the daily double, and shall be calculated and distributed as a place pool.

(4) If no ticket is sold including the winner of the first race of the daily double, the entire net pool shall be paid to the holders of tickets which include the winner of the last race of the daily double.

(5) If no ticket is sold including the winner of the last race of the daily double, the entire net pool shall be paid to the holders of tickets which include the winner of the first race of the daily double.

(6) If, after daily double wagering has commenced and an animal

not coupled with another as a wagering interest in the daily double is excused by the stewards or is prevented from racing because of failure of the starting box to open properly, then daily double wagers combining such animal shall be deducted from the daily double pool and refunded upon presentation and surrender of daily double tickets.

(7) If, after the first race of the daily double has been run, and an animal not coupled with another as a wagering interest in the second race of the daily double is excused by the stewards or prevented from racing because of failure of the starting box to open properly, then daily double wagers combining the winner of the first daily double race with the animals prevented from racing in the second daily double race shall be allocated consolation payouts.

(a) Consolation daily double payouts shall be determined by dividing the net daily double pool by the amount wagered combining the winner of the first daily double race with every animal or wagering interest scheduled to start in the second daily double race, such quotient being the consolation payout per dollar wagered combining the winner of the first daily double race with the animal prevented from racing in the second daily double race;

(b) Consolation payouts shall be deducted from the net daily double pool before calculation and allocation of wagers on the winning daily double combination.

(8) If for any reason either daily double race is canceled or declared "no race" by the stewards, then the net daily double pool shall be distributed to wagering combinations which include the animal or wagering interest which finished first in the daily double race that is run.

(9) If no daily double ticket is sold requiring distribution, then the entire daily double pool shall be refunded upon presentation and surrender of daily double tickets.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90.

Game 9.07 Quiniela wagering. The association shall deduct the amount wagered on the winning combinations, being the first 2 finishers irrespective of which animal finishes first and which animal finishes second, from the net pool to determine the profit; the profit shall be divided by the amount wagered on the winning combination, such quotient being the profit per dollar wagered on the winning quiniela combination; payout shall be the amount wagered and profit.

(1) In the event of a dead heat for first: between animals involving 2 different wagering interests, the net quiniela pool shall be distributed as if no dead heat occurred; if between animals involving 3 different wagering interests, the net quiniela pool is distributed as if a show pool and shall be allocated to wagers combining any of the 3 animals finishing in a dead heat for first.

(2) In the event of a dead heat for second: between animals involving 2 different wagering interests, the net quiniela pool shall be distributed as if a place pool and allocated to wagers combining the first finisher with either animal finishing in a dead heat for second; if between animals involving 3 different wagering interests, the net quiniela pool shall be distributed as if a show pool and allocated to wagers combining the first animal with each of the three animals finishing in a dead heat for second.

(3) In the event no quiniela ticket is sold combining the first finisher with one of the animals finishing in a dead heat for second, then the net quiniela pool shall be allocated to wagers combining the first finisher with the other animal finishing in a dead heat for second.

(4) In the event no quiniela ticket is sold combining the first finisher with either of the animals finishing in a dead heat for second,

ond, then the net quiniela pool shall be allocated to wagers combining the 2 animals finishing in the dead heat for second.

(5) In the event no quiniela ticket is sold combining the first finisher with either of the animals finishing in a dead heat for second, or combining the 2 animals which finished in a dead heat for second, then the net quiniela pool shall be distributed as if a show pool shall be allocated to wagers combining any of the first 3 finishers with any other animals.

(6) In the event no quiniela ticket is sold combining the first 2 finishers, then the net quiniela pool shall be distributed as if a place pool and allocated to wagers combining the first finisher with any other animals and wagers combining the second finisher with any other animal.

(7) In the event no quiniela ticket is sold combining animals or wagering interests as would require distribution then the entire quiniela pool shall be refunded upon presentation and surrender of quiniela tickets thereon.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90.

Game 9.08 Exacta or perfecta wagering. The association may offer exacta or perfecta wagering and these rules shall apply to both. The association shall deduct the amount wagered on the winning combination, being the first 2 finishers in exact order as officially posted, from the net pool to determine the profit; the profit shall be divided by the amount wagered on the winning combination, such quotient being the profit per dollar wagered on the winning exacta combination; payout shall be the amount wagered and profit thereon.

(1) If no ticket is sold on the winning combination of an exacta pool, the net pool shall be distributed equally between holders of tickets selecting the winning animal to finish first and holders of tickets selecting the second place animal to finish second.

(2) In case of a dead heat between 2 animals for first place, the net exacta pool shall be calculated and distributed as a place pool to holders of tickets of the winning combinations. In case of a dead heat between 2 animals for second place, the exacta pool shall be figured as a place pool, the holders of tickets combining the winning animal and the 2 animals finishing second participating in the payout.

(3) In the event of a dead heat for second place, if no ticket is sold on one of the 2 winning combinations, the entire net pool shall be calculated as a win pool and distributed to those holding tickets on the other winning combination.

(4) If no tickets combine the winning animal with either of the place animals in the dead heat, the exacta pool shall be calculated and distributed as a place pool to holders of tickets representing any interest in the net pool.

(5) If no ticket is sold that would require distribution on an exacta pool as above defined, the association shall refund all tickets on the exacta pool.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90.

Game 9.09 Quiniela double pools. (1) The quiniela double requires selection of the first 2 finishers, irrespective of order, in each of 2 specified races. Quiniela double tickets shall be purchased for both of the 2 quiniela double races prior to the first of the 2 races, without any exchange of tickets between the first and second races.

(2) The net quiniela double pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish:

(a) If animals representing the same wagering interest finish as the first 2 finishers in either race, as a single price pool to those

selecting the animals representing the same wagering interest combined with the next separate wagering interest in the official order of finish for that race, as well as the first 2 finishers in the corresponding quiniela double race, otherwise;

(b) As a single price pool to those who selected the first 2 finishers in each of the 2 quiniela double races. If there is no ticket selecting the first 2 finishers in each of the quiniela double races, then;

(c) As a single price pool to those who selected the first 2 finishers in the first quiniela double race. If there is no ticket selecting the first 2 finishers in the first quiniela double race, then;

(d) The entire pool shall be refunded on quiniela double wagers for those races.

(3) If there is a dead heat for first in either of the 2 quiniela double races involving:

(a) Animals representing the same wagering interest, the quiniela double pool shall be distributed to those selecting the animals representing the same wagering interest combined with the next separate wagering interest in the official order of finish for that race.

(b) Animals representing 2 wagering interests, the quiniela double pool shall be distributed as if no dead heat occurred.

(c) Animals representing 3 or more wagering interests, the quiniela double pool shall be distributed as a profit split.

(4) If there is a dead heat for second in either of the quiniela double races involving animals representing the same wagering interest, the quiniela double pool shall be distributed as if no dead heat occurred.

(5) If there is a dead heat for second in either of the quiniela double races involving animals representing 2 or more wagering interests, the quiniela double pool shall be distributed as a profit split.

(6) If a wagering interest in the first half of the quiniela double is scratched prior to the first quiniela double race being declared official, all money wagered on combinations including the scratched wagering interest shall be deducted from the quiniela double pool and refunded.

(7) If a wagering interest in the second half of the quiniela double is scratched prior to the close of wagering on the first quiniela double race, all money wagered on combinations including the scratched wagering interest shall be deducted from the quiniela double pool and refunded.

(8) If a wagering interest in the second half of the quiniela double is scratched after the close of wagering on the first quiniela double race, all wagers combining the winning combination in the first race with a combination including the scratched wagering interest in the second race shall be allocated a consolation payout. In calculating the consolation payout the net quiniela double pool shall be divided by the total amount wagered on the winning combination in the first race and an unbroken consolation price obtained. The broken consolation price is multiplied by the dollar value of wagers on the winning combination in the first race combined with a combination including the scratched wagering interest in the second race to obtain the consolation payout. Breakage is not declared in this calculation. The consolation payout is deducted from the net quiniela double pool before calculation and distribution of the winning quiniela double payout. In the event of a dead heat involving separate wagering interests, the net quiniela double pool shall be distributed as a profit split.

(9) If either of the quiniela double races is canceled prior to the first quiniela double race, or the first quiniela double race is declared no race, the entire quiniela double pool shall be refunded on quiniela double wagers for those races.

(10) If the second quiniela double race is canceled or declared no race after the conclusion of the first quiniela double race, the net quiniela double pool shall be distributed as a single price pool to wagers selecting the winning combination in the first quiniela double race. If there are no wagers selecting the winning combination in the first quiniela double race, the entire quiniela double pool shall be refunded on quiniela double wagers for those races.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90; r. and recr. Register, December, 1994, No. 468, eff. 1-1-95.

Game 9.10 Trifecta wagering. The association shall deduct the amount wagered on the winning combination, being the first 3 finishers in exact order as officially posted, from the net pool to determine the profit; the profit shall be divided by the amount wagered on the winning combination, such quotient being the profit per dollar wagered on the winning trifecta combination. The payout shall be both the amount wagered and the profit.

(1) If no ticket is sold on the winning combination, the profit shall be apportioned equally among the holders of tickets selecting the first and second place animals in exact order.

(2) If no ticket selecting the first and second animals is sold, the profit shall be apportioned equally among the holders of tickets selecting the animal finishing first.

(3) If a race on which there is trifecta wagering results in a dead heat for first place, the winning combinations shall include the first 2 animals as finishing in either first or second and the animal finishing third.

(4) If a race on which there is trifecta wagering results in a dead heat for second place, the winning combinations shall include the animal finishing first and the 2 animals finishing in a dead heat as finishing in either second or third.

(5) If a race on which there is trifecta wagering results in a dead heat for third place, the winning combinations shall include the animal finishing first, the animal finishing second and either of the animals finishing in a dead heat for third as finishing third.

(6) In all combinations described in subs. (3), (4) and (5), the profit shall be divided in separate pools, calculated as a place pool and paid off accordingly.

(7) If a race on which there is trifecta wagering results in a triple dead heat or double dead heat, the net pool shall be divided by the number of all such win, place and show combinations thus formed, calculated as separate pools and paid off accordingly.

(8) If an animal is scratched or declared a nonstarter, no trifecta tickets designating such an animal shall be issued. All tickets previously issued designating such animal shall be refunded and the money representing those tickets shall be deducted from the total pool.

(9) If no ticket is sold that would require distribution of the net trifecta pool to a winner as above defined, the association shall make a full refund of the net trifecta pool.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90; CR 03-070: am. (2), r. (3) to (6), renum. (7) to (12) to be (3) to (8) and am. (6), cr. (9) Register November 2003 No. 575, eff. 12-1-03.

Game 9.11 Twin trifecta pools. (1) The twin trifecta requires selection of the first 3 finishers, in their exact order, in each of 2 designated races. After the official declaration of the first 3 wagering interests to finish in the first race of the twin trifecta, each patron holding a winning ticket shall, prior to the running of the second twin trifecta race, exchange the winning ticket for both the monetary value established by the mutuel department and a twin trifecta exchange ticket, and at that time shall se-

lect the 3 wagering interests to finish in the second race of the twin trifecta in order as officially posted. No twin trifecta exchange ticket for the second race shall be issued except upon surrender of the twin trifecta tickets from the first race as described in this section. Mutuel windows shall be open for the purpose of cashing and exchanging winning twin trifecta tickets only after the first half of the twin trifecta has been declared official. Twin trifecta tickets shall be sold in not less than \$2 denominations; however, the association may elect to offer \$1 twin trifecta wagers in multiple wagers, such as box, wheel, key or rundown, provided each transaction has a minimum value of \$2.

(2) After wagering closes for the first half of the twin trifecta, the mutuel department shall divide the net distributable pool into separate pools of equal amount, or the association may divide the pools at a different percentage rate if approval is granted by the division. Requests for approval shall be in writing and shall be made at least 10 days prior to the proposed date of implementation. Approval may be granted if the following conditions are met:

- (a) A successful tote test is completed;
- (b) The public is notified 7 days prior to implementation; and
- (c) The requested change is in the interest of the public.

(3) The monies in the first part of the divided pool shall be distributed to the holders of twin trifecta tickets selecting the first 3 animals, in order, on the first designated twin trifecta race.

(4) "First part of divided pool" means one half of the net distributable pool (or a percentage approved by the division) of the total monies wagered in the twin trifecta on the current program only and, specifically excluding any carryover of any special cumulative second race twin trifecta pool from any previous program.

(5) The second part of the divided pool shall be placed in a separate pool to be distributed to holders of second-half twin trifecta tickets selecting the first 3 animals, in order, on the second designated twin trifecta race.

(6) In the first twin trifecta race only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first twin trifecta race:

- (a) As a single price pool to those whose combination finished in correct sequence as the first 3 wagering interests. If there is no ticket sold selecting the first 3 wagering interests in correct sequence, then;
- (b) As a single price pool to those whose combination included, in correct sequence, the first 2 wagering interests. If there is no ticket sold selecting the first 2 wagering interests in correct sequence, then;
- (c) As a single price pool to those whose combination correctly selected the first place wagering interest only. If there is no ticket sold correctly selecting the first place wagering interest only, then;
- (d) The entire twin trifecta pool shall be refunded on twin trifecta wagers for that race and the second half shall be canceled.

(7) If no first-half twin trifecta ticket selects the first 3 finishers of that race in exact order, patrons holding winning tickets in accordance with sub. (6) (b) and (c) shall not receive any exchange tickets for the second-half twin trifecta pool. In such case, the second-half twin trifecta pool shall be retained and added to the twin trifecta carryover pool.

(8) Winning tickets from the first half of the twin trifecta in accordance with sub. (6) (a) shall be exchanged for tickets selecting the first 3 finishers of the second half of the twin trifecta. The second-half twin trifecta pool shall be distributed to winning wa-

gers in the following precedence, based upon the official order of finish for the second twin trifecta race:

(a) As a single price pool, including the carryover pool, to those whose combination finished in correct sequence as the first 3 wagering interests. If there is no ticket sold selecting the first 3 wagering interests in correct sequence, then;

(b) The entire second-half twin trifecta pool for that race shall be added to the carryover pool and retained for the corresponding second-half twin trifecta pool of the next performance.

(9) If a winning first-half twin trifecta ticket is not presented for cashing and exchange prior to the second-half twin trifecta race, the ticket holder may still collect the monetary value associated with the first-half twin trifecta pool but forfeits all rights to any distribution of the second-half twin trifecta pool unless the second-half race is canceled, declared a “no race” or if the total number of wagering interests becomes less than the minimum.

(10) Both halves of the twin trifecta shall have at least 7 wagering interests. Prior to the running of the first half of the twin trifecta, if the total number of scheduled wagering interests become 6 or less for either half, the twin trifecta pool shall be canceled and a complete refund of the twin trifecta pool shall be performed upon presentation of valid twin trifecta tickets.

(11) If a wagering interest in the first half of the twin trifecta is scratched, the twin trifecta wagers including the scratched wagering interest shall be refunded.

(12) If a wagering interest in the second half of the twin trifecta is scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched wagering interest. If tickets have not been exchanged prior to the close of wagering for the second twin trifecta race, the ticket holder forfeits all rights to the second-half twin trifecta pool unless the second-half race is canceled, declared a “no race” or if the total number of wagering interests becomes less than the minimum.

(13) After the first half of the twin trifecta and prior to the running of the second half of the twin trifecta, if the total number of scheduled wagering interests becomes 6 or less, the second half of the twin trifecta shall be canceled. In the event the second half of the twin trifecta is canceled, then all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half twin trifecta pool for that race as a single price pool, but not the twin trifecta carryover.

(14) If there is a dead heat or multiple dead heats in either the first or second half of the twin trifecta, all twin trifecta wagers selecting the correct order of finish, counting a wagering interest involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in:

(a) The first half of the twin trifecta, the payoff shall be calculated as a profit split. The method of calculation used by the association shall be prominently displayed in a conspicuous area of the grandstand or published in the program.

(b) The second half of the twin trifecta, the payoff shall be calculated as a single price pool. The method of calculation used by the association shall be prominently displayed in a conspicuous area of the grandstand or published in the program.

(15) If either of the twin trifecta races are canceled prior to the first twin trifecta race, or the first twin trifecta race is declared “no race,” the entire twin trifecta pool shall be refunded on twin trifecta wagers for that race and the second half shall be canceled.

(16) If the second-half twin trifecta pool or race is canceled or declared “no race,” all exchange tickets and outstanding first-half winning twin trifecta tickets shall be entitled to the net twin trifecta pool for that race as a single price pool, but not the twin

trifecta carryover, except during the mandatory payout performance, in which all exchange tickets and outstanding first-half winning tickets are entitled to the jackpot carryover pool.

(17) The twin trifecta carryover may be capped at a designated level approved by the division so that if, at the close of any race performance, the amount in the twin trifecta “jackpot” carryover equals or exceeds the designated cap, the twin trifecta “jackpot” carryover shall be frozen until it is won or distributed under other provisions of this rule. After the second-half twin trifecta “jackpot” carryover is frozen, the association shall have the option to:

(a) Distribute 100% of the net twin trifecta pool for each individual race during each subsequent performance after the “jackpot” carryover is frozen and until distributed, to winners of the first half of the twin trifecta pool.

(b) Create a seed pool for the start of a second “jackpot” carryover from money designated for the second part of the divided pool from race performances in which the first “jackpot” is capped and allow for the capped first “jackpot” carryover to be distributed on a mandatory basis during a designated race performance. Money wagered into the twin trifecta pool during the designated mandatory distribution performance of the first “jackpot” carryover will not be allocated for the second “jackpot” carryover but shall be distributed along with the first “jackpot” carryover during the mandatory distribution performance. Upon the first “jackpot” carryover being distributed, all money allocated to the seed pool for the second “jackpot” carryover shall be converted to a new first “jackpot” carryover. If while seeding the second “jackpot” carryover from money designated for the second part of the divided pool from performances the first “jackpot” is capped, and the second “jackpot” carryover exceeds the designated cap amount, then the seeded second “jackpot” carryover shall continue to accumulate until converted to the first “jackpot” carryover, at which time it shall be immediately frozen. Upon conversion to the first “jackpot” carryover, and being capped, money designated for the second part of the divided pool shall be placed in a seed pool for the start of a second “jackpot” carryover and subsequently distributed under the provisions of this rule.

(c) Select a race performance or race day in which the capped “jackpot” will be distributed on a mandatory basis.

(18) A written request for permission to distribute the twin trifecta carryover on a specific performance may be submitted to the division. The request shall contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution. The association must notify the division 10 days prior to implementation. If the twin trifecta pool cannot be distributed during a designated performance, the mandatory distribution shall resume on the next scheduled mandatory distribution performance.

(19) If the twin trifecta carryover is designated for distribution on a specified date and performance, the following precedence shall be followed in determining winning tickets for the second half of the twin trifecta after completion of the first half of the twin trifecta:

(a) As a single price pool to those whose combination finished in correct sequence as the first 3 wagering interests. If there is no ticket sold selecting the first 3 wagering interests in correct sequence, then;

(b) As a single price pool to holders of valid exchange tickets from the first half of the twin trifecta. If there are no valid exchange tickets from the first half of the twin trifecta, then;

(c) As a single price pool to holders of outstanding first-half winning tickets.

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(20) Contrary to sub. (7), during a performance designated to distribute the twin trifecta carryover, exchange tickets shall be issued for those combinations selecting the greatest number of wagering interests in their correct order of finish for the first half of the twin trifecta. If there are no wagers correctly selecting the first, second, and third place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first and second place wagering interests. If there are no wagers correctly selecting the first and second place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first place wagering interest only. If there are no wagers correctly selecting the first place wagering interest only in the first half of the twin trifecta, all first-half tickets shall become winners and shall receive 100% of that day's net twin trifecta pool and the twin trifecta carryover as a single price pool.

(21) The twin trifecta carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

(a) Upon written approval from the division as provided in sub. (18).

(b) Upon written approval from the division when there is a change in the carryover cap or when the twin trifecta is discontinued.

(c) On the closing performance of the meet or split meet.

(22) If the twin trifecta carryover is held over to the corresponding twin trifecta pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the division. The twin trifecta carryover plus accrued interest shall then be added to the second-half twin trifecta pool of the following meet on a date and performance so designated by the division.

(23) No person may provide information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of valid exchange tickets until the second-half twin trifecta race is made official. This shall not prohibit necessary communication between totalizator and mutuel department employees for processing of pool data.

(24) The association shall obtain written approval from the division concerning the scheduling of twin trifecta races and the amount of any cap to be set on the carryover. Any changes to the approved twin trifecta format require a written request from the association and written approval from the division. Requests for approval shall be made at least 10 days prior to the proposed date of implementation. Approval may be granted if the following conditions are met:

- (a) A successful tote test is completed;
- (b) If the public is notified 7 days prior to implementation; and
- (c) The requested change is in the interest of the public.

(25) Sale of twin trifecta tickets other than from pari-mutuel machines by licensed pari-mutuel clerks is prohibited.

(26) Twin trifecta wagering races shall be run consecutively.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90; cr. (20), Register, May, 1993, No. 449, eff. 6-1-93; r. and recr. Register, December, 1994, No. 468, eff. 1-1-95; correction in (7) and (8) (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register, March, 1995, No. 471; emerg. renum. (17) to be (17) (intro.) and am., cr. (17) (ac) to (c), eff. 8-25-95; renum. (17) to be (17) (intro.) and am., cr. (17) (a) to (c), Register, January, 1996, No. 481, eff. 2-1-96.

Game 9.12 Superfecta wagering. (1) The superfecta shall combine four animals in a single race by selecting the four animals that will subsequently finish first, second, third and fourth in that race. Payment of the ticket shall be made only to the

purchaser who has selected the same order of finish as officially posted.

(2) The superfecta shall be calculated as an entirely separate pool.

(3) Superfecta tickets shall be sold in not less than \$2.00 denominations; however, the association may elect to offer \$1.00 superfecta wagers in multiple wagers such as box, wheel, key or rundown provided each transaction has a minimum value of \$2.00.

(4) In races with superfecta wagering, if there is a failure to select, in exact order, the first 4 animals, payouts shall be made on superfecta tickets in the following order of priority:

(a) Tickets selecting the first, second, and third finishers in that order, 1-2-3-all. If no ticket is sold selecting the first, second, and third finishers in that order, then;

(b) Tickets selecting the first and second finishers in that order, 1-2-all-all. If no ticket is sold selecting the first, and second finishers in that order, then;

(c) Tickets selecting the first finisher, 1-all-all-all.

(5) If no ticket is sold that would require distribution of the net superfecta pool to a winner as above defined, the association shall make a full refund of the net superfecta pool.

(6) In the event of a dead heat or heats, all superfecta tickets selecting the correct order of finish, counting an animal in a dead heat as finishing in either position dead heated, shall be winning tickets. The payout shall be calculated as a place pool.

(7) In the event of a scratch in the superfecta race no exchanges shall be made. All tickets which include the scratched animals shall be eliminated from further participation in the superfecta pool and shall be refunded.

(8) Superfecta tickets shall be sold only by the association through pari-mutuel machines programmed to print all selections on one ticket.

(9) Each association using this form of wagering shall post a reprint of the rule in bold print at conspicuous locations throughout the association's public areas. The locations of the posted rules shall appear in the program.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90; r. and recr. (4), Register, May, 1993, No. 449, eff. 6-1-93; emerg. cr (4) (gc), (gm) and (gs), eff. 8-25-95; cr. (4), (gc), (gm), and (gs), Register, January, 1996, No. 481, eff. 2-1-96; CR 03-070: am. (4) Register November 2003 No. 575, eff. 12-1-03.

Game 9.13 Pick (N) wagering. (1) Each person participating in a Pick (N) pool shall select the winning animal in (N) consecutive races designated by the association. The number of contests so designated shall be greater than 2. Once an association has decided the number of contests comprising the Pick (N), it may not change that number in the middle of a meet without prior approval of the division. The contests so designated comprise the Pick (N) for that performance. The association shall issue the Pick (N) participant a ticket which shall reflect the participant's selections in the designated contests.

(2) A validly issued Pick (N) ticket timely surrendered to the association by the legal holder thereof shall be the only evidence of a person's participation in a Pick (N) pari-mutuel pool. The acceptance of a Pick (N) ticket by taking an issued ticket away from the window or terminal from which it is purchased shall constitute an acknowledgement by the purchaser of the correctness of the ticket, and each purchaser of a Pick (N) ticket agrees to be bound by the terms and provisions of this requirement, other division rules and regulations notwithstanding. Neither the association, totalizator company nor the state of Wisconsin shall be liable to any person for any ticket which is not a winning ticket in

accordance with the provisions of this rule nor shall they, or any of them, be liable to any person for any Pick (N) ticket not delivered for any reason, including but not limited to, mechanical malfunction, electrical failure, machine locking, or other cause.

(3) The Pick (N) pool shall operate as follows:

(a) *Pick (N) with carryover.* 1. The Pick (N) pool shall consist of 2 separate and distinct pari-mutuel pools. At the option of the association, 50% or 75% of the gross amount of all sums wagered on Pick (N) tickets on each performance shall be paid into the pari-mutuel pool to be known as the "Jackpot." The remaining 50% or 25% of the gross amounts of all sums wagered on Pick (N) tickets for that performance shall be paid into a pari-mutuel pool to be known as the "Super (N)." The association shall notify the division in writing before the beginning of each race meet of its decision as to which one of the Pick (N) wagering and gross amount splits has been selected. Once the meet begins, no changes shall be allowed without written approval of the division.

2. The Super (N) and Jackpot, if any, shall be distributed as a single price pool to those who selected the first-place finisher in each of the Pick (N) contests, based upon the official order of finish. If there are no wagers which selected the first-place finisher in each of the races comprising the Pick (N), then the Super (N) shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (N) contests.

(b) *Pick (N) with minor pool and carryover.* 1. The Pick (N) pool shall consist of 3 separate and distinct pari-mutuel pools. At the option of the association, 50% or 75% of the gross amount of all sums wagered on Pick (N) tickets on each performance shall be paid into the pari-mutuel pool to be known as the "Jackpot". The remaining 50% or 25% of the gross amounts of all sums wagered on Pick (N) tickets for that performance shall be paid into 2 pari-mutuel pools to be known as the "Super (N)" and "Consolation" in percentages established by the association equal to 50% or 25% of the gross amounts not paid into the Jackpot. The association shall notify the division in writing before the beginning of each race meet of its decision as to which one of the Pick (N) wagering and gross amount splits has been selected. Once the meet begins, no changes shall be allowed without written approval of the division.

2. The Super (N) and Jackpot, if any, shall be distributed as a single price pool to those who selected the first-place finisher in each of the Pick (N) contests, based upon the official order of finish. The Consolation shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (N) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher of all Pick (N) contests, the Consolation shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (N) contests; and the Super N share shall be added to the carryover.

(c) *Pick (N) with no minor pool and no carryover.* The net Pick (N) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (N) contests, based upon the official order of finish. If there are no winning wagers, the pool is refunded.

(d) *Pick (N) with minor pool and no carryover-greatest correct.* 1. The Pick (N) pool shall consist of 2 separate and distinct pari-mutuel pools. At the option of the association, 50% or 75% of the gross amount of all sums wagered on Pick (N) tickets on each performance shall be paid into the pari-mutuel pool to be known as the "Super (N)". The remaining 50% or 25% of the gross amounts of all sums wagered on Pick (N) tickets for that

performance shall be paid into the pari-mutuel pool to be known as the "Consolation". The association shall notify the division in writing before the beginning of each race meet of its decision as to which one of the Pick (N) wagering and gross amount splits has been selected. Once the meet begins, no changes shall be allowed without written approval of the division.

2. The Super N shall be distributed to those who selected the first place finisher in the greatest number of Pick (N) contests, based upon the official order of finish. The Consolation pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (N) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in a second greatest number of Pick (N) contests, the Consolation pool shall be combined with the Super (N) for distribution as a single price pool to those who selected the first-place finisher in the greatest number of Pick (N) contests. If the greatest number of first-place finishers selected is one, the Super (N) and Consolation are combined for distribution as a single price pool. If there are no winning wagers, the pool is refunded.

(e) *Pick (N) with minor pool and no carryover-all correct.* 1. The Pick (N) pool shall consist of 2 separate and distinct pari-mutuel pools. At the option of the association, 50% or 75% of the gross amount of all sums wagered on Pick (N) tickets on each performance shall be paid into the pari-mutuel pool to be known as the "Super (N)". The remaining 50% or 25% of the gross amounts of all sums wagered on Pick (N) tickets for that performance shall be paid into the pari-mutuel pool to be known as the "Consolation". The association shall notify the division in writing before the beginning of each race meet of its decision as to which one of the Pick (N) wagering and gross amount splits has been selected. Once the meet begins, no changes shall be allowed without written approval of the division.

2. The Super (N) pool shall be distributed to those who selected the first-place finisher in each of the Pick (N) contests, based upon the official order of finish. The Consolation pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (N) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in all Pick (N) contests, the entire net Pick (N) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (N) contests.

(4) In the event of a dead heat for win between 2 or more animals in any Pick (N) race, all such animals in the dead heat for win shall be considered as the winner in the race for the purpose of distributing the Jackpot, Consolation, and Super (N) pools.

(5) Once the first contest of the contests comprising the Pick (N) in any performance has begun, and until the last of the contests is concluded, the association shall not report to the public, to any of the association's employees or to any other person, the number of tickets sold, total dollars wagered, or the number of tickets with potential to win the Pick (N) or any information whatsoever about such tickets. Furthermore, the totalizator system shall be constructed or programmed to suppress the publication or printing of any such information from the beginning of the first contest until the conclusion of the last of the contest comprising the Pick (N) in any one performance except for the total dollars wagered in the Pick (N) pool.

(6) No pari-mutuel ticket for Pick (N) shall be sold, exchanged or canceled after the time of the close of mutuel windows for wagering in the first of the contests comprising the Pick (N), except for such refunds on Pick (N) tickets as are required under this rule.

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(7) Any payment in excess of \$100,000 from any Pick (N) pool must be paid by a company check or certified check.

(8) Each jackpot pool shall have a cap that the Jackpot and Super (N) pools may not exceed. Prior to the opening of a meet the association shall declare a cap for the Jackpot and Super (N) pools. Once the association has elected a cap the association shall not alter the cap without providing the division with prior written notice. If, at the close of any performance the amount accumulated in the Jackpot or Super (N) pools equals or exceeds the cap, then at such time, the Jackpot or Super (N) pools shall be frozen until it is won under the other provisions of this section. Thereafter, the Jackpot or Super (N) pools are frozen under these provisions and 100% of all subsequent contributions shall go to the Super (N) pool and be distributed accordingly. Nothing herein shall affect the total distribution of both pools on the closing day of any meet or portion of a split meet.

(9) Prior to the opening of a meet at which a Pick (N) wager will be offered, the association may elect to force an early payout of the Jackpot or Super (N) pools, as allowed by this rule and in no other manner. The election shall be made by informing the division in writing prior to the opening of the meet of the association's intent to force an early payout if the conditions of this rule for an early payout are met. If the election is made, then an early payout of the Jackpot or Super (N) pools shall be made as follows. Within 24 hours after the Jackpot or Super (N) pools reaches their cap, the association shall designate the performance at which the early payout shall be made by informing the division in writing of the designated performance. The designated performance shall be no sooner than 6 calendar days after the cap is reached and no later than 13 calendar days after the cap is reached. If at the conclusion of the last contest comprising the Pick (N) of the designated performance, no wager has won the Jackpot or Super (N) pools, then the funds in the Jackpot or Super (N) pools shall be transferred to the Super (N) pool for the designated performance and distributed in the manner in which the Super (N) pool is distributed.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90; CR 03-070: am. (1), (4), (8), (9), r. and recr. (3), Register November 2003 No. 575, eff. 12-1-03.

Game 9.14 Tri-superfecta pools. (1) The tri-superfecta requires selection of the first 3 finishers, in their exact order, in the first of 2 designated races and the first 4 finishers, in exact order, in the second of the 2 designated races. After the official declaration of the first 3 wagering interests to finish in the first race of the tri-superfecta, each patron holding a winning ticket shall, prior to the running of the second tri-superfecta race, exchange the winning ticket for both the monetary value established by the mutuel department and a tri-superfecta exchange ticket, and at that time shall select the 4 wagering interests to finish in the second race of the tri-superfecta in order as officially posted. No tri-superfecta exchange ticket for the second race shall be issued except upon surrender of the tri-superfecta tickets from the first race as described in this section. Mutuel windows shall be open for the purpose of cashing and exchanging winning tri-superfecta tickets only after the first half of the tri-superfecta has been declared official. Tri-superfecta tickets shall be sold in not less than \$2 denominations; however, the association may elect to offer \$1 tri-superfecta wagers in multiple wagers, such as box, wheel, key or rundown, provided each transaction has a minimum value of \$2.

(2) After wagering closes for the first half of the tri-superfecta, the mutuel department shall divide the net distributable pool into separate pools of equal amount, or the association may divide the pools at a different percentage rate if approval is

granted by the division. Requests for approval shall be in writing and shall be made at least 10 days prior to the proposed date of implementation. Approval may be granted if the following conditions are met:

- (a) A successful tote test is completed;
- (b) The public is notified 7 days prior to implementation; and
- (c) The requested change is in the interest of the public.

(3) The monies in the first part of the divided pool shall be distributed to the holders of tri-superfecta tickets selecting the first 3 animals, in order, on the first designated tri-superfecta race.

(4) "First part of the divided pool" means one half of the net distributable pool (or a percentage approved by the division) of the total monies wagered in the tri-superfecta on the current program only and, specifically excluding any carryover of any special cumulative second race tri-superfecta pool, from any previous program.

(5) The second part of the divided pool shall be placed in a separate pool to be distributed to the holders of second-half tri-superfecta tickets selecting the first 4 animals, in order, on the second designated tri-superfecta race.

(6) In the first tri-superfecta race only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first tri-superfecta race:

(a) As a single price pool to those whose combination finished in correct sequence as the first 3 wagering interests. If there is no ticket sold selecting the first 3 wagering interests in correct sequence, then;

(b) As a single price pool to those whose combination included, in correct sequence, the first 2 wagering interests. If there is no ticket sold selecting the first 2 wagering interests in correct sequence, then;

(c) As a single price pool to those whose combination correctly selected the first place wagering interest only. If there is no ticket sold correctly selecting the first place wagering interest only, then;

(d) The entire tri-superfecta pool shall be refunded on tri-superfecta wagers for that race and the second half shall be canceled.

(7) If no first-half tri-superfecta ticket selects the first 3 finishers of that race in exact order, patrons holding winning tickets in accordance with sub. (6) (b) and (c) shall not receive any exchange tickets for the second-half tri-superfecta pool. In such case, the second-half tri-superfecta pool shall be retained and added to the tri-superfecta carryover pool.

(8) Winning tickets from the first half of the tri-superfecta in accordance with sub. (6) (a) shall be exchanged for tickets selecting the first 4 finishers of the second half of the tri-superfecta. The second-half tri-superfecta pool shall be distributed to winning wagers in the following precedence, based upon the official order of finish for the second tri-superfecta race:

(a) As a single price pool, including the carryover pool, to those whose combination finished in correct sequence as the first 4 wagering interests. If there is no ticket sold selecting the first 4 wagering interests in correct sequence, then;

(b) The entire second-half tri-superfecta pool for that race shall be added to the carryover pool and retained for the corresponding second-half tri-superfecta pool of the next performance.

(9) If a winning first-half tri-superfecta ticket is not presented for cashing and exchange prior to the second-half tri-superfecta race, the ticket holder may still collect the monetary value associated with the first-half tri-superfecta pool but forfeits all rights to

any distribution of the second-half tri-superfecta pool unless the second-half race is canceled, declared a “no race” or if the total number of wagering interests becomes less than the minimum.

(10) Both halves of the tri-superfecta shall have at least 7 wagering interests. Prior to the running of the first half of the tri-superfecta, if the total number of scheduled wagering interests become 6 or less for either half the tri-superfecta pool shall be canceled and a complete refund of the tri-superfecta pool shall be performed upon presentation of valid tri-superfecta tickets.

(11) If a wagering interest in the first half of the tri-superfecta is scratched, the tri-superfecta wagers including the scratched wagering interest shall be refunded.

(12) If a wagering interest in the second half of the tri-superfecta is scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched wagering interest. If tickets have not been exchanged prior to the close of wagering for the second tri-superfecta race, the ticket holder forfeits all rights to the second-half tri-superfecta pool, unless the second-half race is canceled, declared a “no race,” or if the total number of wagering interests becomes less than the minimum.

(13) After the first half of the tri-superfecta and prior to the running of the second half of the tri-superfecta, if the total number of scheduled wagering interests becomes 6 or less, the second half of the tri-superfecta shall be canceled. In the event the second half of the tri-superfecta is canceled, then all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half tri-superfecta pool for that race as a single price pool, but not the tri-superfecta carryover.

(14) If there is a dead heat or multiple dead heats in either the first or second half of the tri-superfecta, all tri-superfecta tickets selecting the correct order of finish, counting a wagering interest involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of a dead heat occurring in:

(a) The first half of the tri-superfecta, the payoff shall be calculated as a profit split. The method of calculation used by the association shall be prominently displayed in a conspicuous area of the grandstand or published in the program.

(b) The second half of the tri-superfecta, the payoff shall be calculated as a single price pool. The method of calculation used by the association shall be prominently displayed in a conspicuous area of the grandstand or published in the program.

(15) If either of the tri-superfecta races are canceled prior to the first tri-superfecta race, or the first tri-superfecta race is declared “no race,” the entire tri-superfecta pool shall be refunded on tri-superfecta wagers for that race and the second half shall be canceled.

(16) If the second-half tri-superfecta pool or race is canceled or declared “no race,” all exchange tickets and outstanding first-half winning tri-superfecta tickets shall be entitled to the net tri-superfecta pool for that race as a single price pool, but not the tri-superfecta carryover, except during the mandatory payout performance, in which all exchange tickets and outstanding first-half winning tickets are entitled to the jackpot carryover pool.

(17) The tri-superfecta carryover may be capped at a designated level approved by the division so that if, at the close of any race performance, the amount in the tri-superfecta “jackpot” carryover equals or exceeds the designated cap, the tri-superfecta “jackpot” carryover shall be frozen until it is won or distributed under other provisions of this rule. After the second-half tri-superfecta “jackpot” carryover is frozen, the association shall have the option to:

(a) Distribute 100% of the net tri-superfecta pool for each in-

dividual race during each subsequent performance after the “jackpot” carryover is frozen and until distributed, to winners of the first half of the tri-superfecta pool.

(b) Create a seed pool for the start of a second “jackpot” carryover from money designated for the second part of the divided pool from race performances in which the first “jackpot” is capped and allow for the capped first “jackpot” carryover to be distributed on a mandatory basis during a designated race performance. Money wagered into the tri-superfecta pool during the designated mandatory distribution performance of the first “jackpot” carryover will not be allocated for the second “jackpot” carryover, but shall be distributed along with the first “jackpot” carryover during the mandatory distribution performance. Upon the first “jackpot” carryover being distributed, all money allocated to the seed pool for the second “jackpot” carryover shall be converted to a new first “jackpot” carryover. If while seeding the second “jackpot” carryover from money designated for the second part of the divided pool from race performances the first “jackpot” is capped, and the second “jackpot” carryover exceeds the designated cap amount, then the seeded second “jackpot” carryover shall continue to accumulate until converted to the first “jackpot” carryover, at which time it shall be immediately frozen. Upon conversion to the first “jackpot” carryover, and being capped, money designated for the second part of the divided pool shall be placed in a seed pool for the start of a second “jackpot” carryover and subsequently distributed under the provisions of this rule.

(c) Select a race performance or race day in which the capped “jackpot” will be distributed on a mandatory basis.

(18) A written request for permission to distribute the tri-superfecta carryover on a specific performance may be submitted to the division. The request shall contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution. The association must notify the division 10 days prior to implementation. If the tri-superfecta pool cannot be distributed during a designated performance, the mandatory distribution shall resume on the next scheduled mandatory distribution performance.

(19) If the tri-superfecta carryover is designated for distribution on a specified date and performance, the following precedence shall be followed in determining winning tickets for the second half of the tri-superfecta after completion of the first half of the tri-superfecta:

(a) As a single price pool to those whose combination finished in correct sequence as the first 4 wagering interests. If there is no ticket sold selecting the first 4 wagering interests in correct sequence, then;

(b) As a single price pool to holders of valid exchange tickets from the first half of the tri-superfecta. If there are no valid exchange tickets from the first half of the tri-superfecta, then;

(c) As a single price pool to holders of outstanding first-half winning tickets.

(20) Contrary to sub. (7), during a performance designated to distribute the tri-superfecta carryover, exchange tickets shall be issued for those combinations selecting the greatest number of wagering interests in their correct order of finish for the first half of the tri-superfecta. If there are no wagers correctly selecting the first, second, and third place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first and second place wagering interests. If there are no wagers correctly selecting the first and second place finishers, in their exact order, then exchange tickets shall be issued for combinations correctly selecting the first place wagering interest only. If there are no wagers correctly selecting the first place wagering

interest only in the first half of the tri-superfecta, all first-half tickets shall become winners and shall receive 100% of that day's net tri-superfecta pool and the tri-superfecta carryover as a single price pool.

(21) The tri-superfecta carryover shall be designated for distribution on a specified date and performance only under the following circumstances:

(a) Upon written approval from the division as provided in sub. (18).

(b) Upon written approval from the division when there is a change in the carryover cap or when the tri-superfecta is discontinued.

(c) On the closing performance of the meet or split meet.

(22) If the tri-superfecta carryover is held over to the corresponding tri-superfecta pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the division. The tri-superfecta carryover plus accrued interest shall then be added to the second-half tri-superfecta pool of the following meet on a date and performance so designated by the division.

(23) No person may provide information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of valid exchange tickets until the second-half tri-superfecta race is made official. This shall not prohibit necessary communication between totalizator and mutuel department employees for processing of pool data.

(24) The association shall obtain written approval from the division concerning the scheduling of tri-superfecta races and the amount of any cap to be set on the carryover. Any changes to the approved tri-superfecta format require a written request from the association and written approval from the division. Requests for approval shall be made at least 10 days prior to the proposed date of implementation. Approval may be granted if the following conditions are met:

- (a) A successful tote test is completed;
- (b) If the public is notified 7 days prior to implementation; and
- (c) The requested change is in the interest of the public.

(25) Sale of tri-superfecta tickets other than from pari-mutuel machines by licensed pari-mutuel clerks is prohibited.

(26) Tri-superfecta wagering races shall be run consecutively.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90; r. and recr. Register, December, 1994, No. 468, eff. 1-1-95; correction in (7) and (8) (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register, March, 1995, No. 471; emerg. renum. (17) to be (17) (intro.) and am., cr. (17) (a) to (c), eff. 8-25-95; renum. (17) to be (17) (intro.) and am., cr. (17) (a) to (c), Register, January, 1996, No. 481, eff. 2-1-96.

Game 9.16 Simulcast. All rules of the division pertaining to wagering pools apply to all simulcast races on which wagering in Wisconsin is to be conducted, except as provided in this section. No wagering shall be conducted on a simulcast race unless prior written approval from the division has been obtained. Each licensee requesting approval shall submit, with the request, the procedures for accommodating wagering on entries and fields in the race(s) to be simulcast. These procedures shall also be approved by the division prior to the simulcast of the race.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90.

Game 9.17 Approval of deductions. A licensee under s. 562.05 (1) (b), Stats., shall deduct from the total amount wagered on all animals selected each race, amounts set forth in s. 562.065 (3) (a), Stats., for win, place, show and multiple pool wagers and pay the balance minus breakage to winning ticket holders. The deduction rates shall receive prior approval from the division and will be effective on the Tuesday following receipt of approval or on a date set by the division. Deduction rates shall be published in either the daily race program or posted in a prominent location at the racetrack during each race performance.

History: Emerg. cr. eff. 8-25-95; cr. Register, January, 1996, No. 481, eff. 2-1-96.